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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TERRANCE MCNICHOLS,

Defendant.

Case No.: 2:07-cr-00130-RCJ-VCF

**STIPULATION TO CONTINUE
HEARING REGARDING
REVOCATION OF SUPERVISED
RELEASE**
(Third Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, and Stephanie Ihler, Assistant United States Attorney, counsel for the United States of America, and Telia Mary U. Williams, counsel for Terrance McNichols, that the hearing regarding revocation of supervised release, currently scheduled for February 16, 2021 at 2:30 pm, be vacated and set to a date and time convenient to this Court, but no sooner than ninety (90) days. **The parties are amenable to a date and time of May 18, 2021 at 2:30pm for the hearing.**

1 The Stipulation is entered into for the following reasons:

2 1. Counsel for the defendant is looking to have out-of-state witnesses for the
3 defendant's probation revocation hearing, who will need additional time to travel to Las Vegas,
4 Nevada, for the hearing, making the February 16, 2021 date less feasible than before, due to
5 precautions being re-instituted for Covid-19, which may affect the witnesses' ability to return
6 home after being in Las Vegas;

7 2. In addition, Counsel for the defendant has retained a mental health expert who
8 requires additional time to evaluate the defendant, since he was indisposed with an injury and
9 is just returning back to practice;

10 3. The defendant is in custody, but does not object to the continuance.

11 4. The Government does not object to the continuance.

12 5. The United States Probation Officer assigned to this matter, Matthew Martinez,
13 does not object to the continuance.

14 6. The additional time requested herein is not sought for purposes of delay, but to
15 allow defendant sufficient time within which to prepare for the hearing.

16 7. Denial of this request for continuance could result in a miscarriage of justice.
17 The additional time requested by this Stipulation is excludable in computing the time within
18 which the hearing herein must commence pursuant to the Speedy Trial Act, Title 18, United
19 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,
20 Section 3161(h)(7)(B)(i), (iv).

21 8. The parties are amenable to a date and time of May 18, 2021 at 2:30pm for the
22 rescheduled hearing.

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1 This is the third stipulation to continue filed herein.

2 DATED this 2nd day of February, 2021.

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4 LAW OFFICE OF TELIA U. WILLIAMS

NICHOLAS TRUTANICH
United States Attorney

5
6 */s/ Telia Mary U. Williams*
7 By _____
8 TELIA MARY U. WILLIAMS
Counsel for Terrance McNichols

/s/ Stephanie Ihler
By _____
STEPHANIE IHLER
Assistant United States Attorney

9
10 By */s/ Matthew Martinez*
11 MATTHEW MARTINEZ
United States Probation Officer

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3
4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 TERRANCE MCNICHOLS,

8 Defendant.

Case No. 2:07-cr-00130-RCJ-VCF

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

9
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. Counsel for the defendant is looking to have out-of-state witnesses for the
14 defendant's probation revocation hearing, who will need additional time to travel to Las Vegas,
15 Nevada, for the hearing, making the February 16, 2021 date less feasible than before, due to
16 precautions being re-instituted for Covid-19, which may affect the witnesses' ability to return
17 home after being in Las Vegas;

18 2. In addition, Counsel for the defendant has retained a mental health expert who
19 requires additional time to evaluate the defendant, since he was indisposed with an injury and
20 is just returning back to practice both in terms of a defense;

21 3. The defendant is in custody, but does not object to the continuance.

22 4. The parties agree to the continuance, as does the United States Probation Officer
23 assigned to this matter;

24 5. The additional time requested herein is not sought for purposes of delay, but to
25 allow the defendant sufficient time within which to prepare for the hearing.
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